

very capable and wise gentleman from Oklahoma who has been a great friend throughout the years that I have been here and thank him for his assistance in this legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. CARDOZA) that the House suspend the rules and pass the Senate bill, S. 2571. The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. LUCAS. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### GENERAL LEAVE

Mr. CARDOZA. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on the bill just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

#### PROTECT AMERICA ACT OF 2007 EXTENSION

The SPEAKER pro tempore. Pursuant to section 2 of House Resolution 976, proceedings will now resume on the bill (H.R. 5349) to extend the Protect America Act of 2007 for 21 days.

The Clerk read the title of the bill.

The SPEAKER pro tempore. When proceedings were postponed earlier today, 13½ minutes remained in debate.

The gentleman from Michigan (Mr. CONYERS) has 7 minutes remaining, the gentleman from Texas (Mr. SMITH) has 4½ minutes remaining, and the gentleman from Michigan (Mr. HOEKSTRA) has 2 minutes remaining.

Mr. CONYERS. Madam Speaker, I would begin by yielding myself as much time as I may consume.

Members of the House, after delaying consideration of the House-passed RESTORE Act for months, just last night the other body has passed a very troubling FISA bill. Their action comes only 3 days before the expiration of the temporary bill which expires this Saturday, and we have a number of problems with the legislation coming from the other side.

First, it provides blanket retroactive amnesty for telecom companies that took part in warrantless surveillance programs. Now I have never heard, in my legal experience, that retroactive immunity, or immunity of any kind, can be given when you don't know what it is being given for, and that presents quite a large problem. Then there is no FISA Court review of certain au-

thorizations generally referred to as "basket warrants" until after the wiretapping starts. It creates a problem that we would use the additional 21 days that we are asking for, I think that would come under very close examination.

And then there are much weaker provisions on stopping other warrantless wiretapping, for example, reverse targeting of U.S. citizens and the question of sufficient congressional oversight.

So based on the documents that have been provided so far, and they are far from complete, I have letters of requests in great detail, the case for amnesty has really not been made.

The administration's bluster and fear-mongering don't do any of us very well. That doesn't serve the purpose of our legislative function and our relationship with the several branches of government. And it should be understood as perhaps another attempt to use national security for partisan ends.

The administration's view is that the President, as Commander in Chief, can spy on Americans in the United States without a warrant, a proposition that is very seriously contested by many of our constitutional and civil liberties authorities. Congress is committed to providing the executive branch the tools it needs. But we need to do so to make sure that the power to spy on Americans is not subject to abuse or misuse. All of us in this body think that that is of paramount concern.

The administration has requested that the Congress rubber-stamp its proposed legislation but has refused to provide Congress the information that would even purport to support the legislation. It is the administration that has unfortunately played politics with this issue. The administration still hasn't provided us with all of our requested documents.

Just yesterday, another letter was sent requesting the same information we have been asking for for so long. The House can't simply be stonewalled or ignored. And it cannot exercise its constitutional responsibility and then be bullied to rubber-stamp complicated and important legislation that impacts on national security.

We hope that the measure before us today will be passed resoundingly in a bipartisan way.

Madam Speaker, I reserve the balance of my time.

Mr. SMITH of Texas. Madam Speaker, I yield myself 1½ minutes.

Madam Speaker, this extension does nothing more than contribute uncertainty to our intelligence community and put our foreign surveillance activities at risk. We have a bill we can pass right now. Yesterday, the Senate approved its bipartisan FISA bill by an overwhelming majority of 68-29. The Senate bill addresses the concerns of our intelligence community and has strong bipartisan support.

The intelligence community needs a long-term fix to gaps in our intelligence laws now, not 21 days from

now. What message does it send that we lack confidence in our intelligence community? Why are we making ourselves vulnerable to those who want to hurt us? Spies and terrorists don't operate by deadlines and sunsets. Neither should our intelligence laws.

We cannot allow the Protect America Act to expire and return to the status quo, unable to begin any new foreign surveillance. The time to act is now. Another extension represents a failure by the House Democratic majority to protect the American people.

We should reject this extension and urge the Democratic leadership to allow the House to consider the Senate bill, which has majority support in the House.

Madam Speaker, I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I reserve my time at this point.

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Mr. HOEKSTRA. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, what we try to do in the Intelligence Committee is to define the threat that is out there. We know that radical jihadists, al Qaeda, that it is a real threat. We attempt to provide our intelligence community with the tools that are necessary to give us, as policymakers, and others the information that is necessary to keep America safe. And at least some of us are in the business of prevention, making sure that there is not another successful attack against the United States; others are in the mode of, well, let another attack, if it happens, we want to be in a position to prosecute.

When we get down to FISA, I went through this earlier, October 25, 2001; November 14, 2001; March 5, 2002; June 12, 2002, Members of the House of Representatives were briefed on this program. Our Speaker of the House was briefed on this program, understanding what the program was, or hopefully understanding or at least asking the questions to get understanding about what the program was, what it intended to do, and the kind of information it was going to get, and the legal boundaries, the legal ramifications, and who was participating in these programs.

Now what they want to do and some want to do is throw these companies that were the Good Samaritans that decided they were going to help us, just throw them under the bus, even though, on a bipartisan basis, the legislative branch and the executive branch asked these folks and decided that these were the things that needed to be done.

The impact of this is this is having a chilling effect on all of those individuals and corporations that, from time to time, are being asked to help to keep us safe. It is like saying we saw what you did to these other folks. We are not going to be next. We are going to have to wield a fiduciary responsibility to our shareholders.